

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. ELMER RICHARD PETERSEN, Defendant.	CR 22-91-BLG-SPW AMENDED FINAL ORDER OF FORFEITURE
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THIS MATTER comes before the Court on the United States' Unopposed Motion for Amended Final Order of Forfeiture (Doc. 72). The Court having reviewed said motion and brief FINDS:

1. The United States commenced this action pursuant to 18 U.S.C. § 924(d);
2. A Preliminary Order of Forfeiture was entered on September 14, 2023 (Doc. 55); and
3. All known interested parties were provided an opportunity to respond and that publication has been effectuated as required by 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(n)(1);

4. It further appears there is cause to issue an amended forfeiture order under 18 U.S.C. § 924(d);

IT IS THEREFORE ORDERED, DECREED, AND ADJUDGED:

1. The Motion for Amended Final Order of Forfeiture (Doc. 72) is

GRANTED.

2. Judgment of forfeiture of the following property shall enter in favor of the United States pursuant to 21 U.S.C. § 853, free from the claims of any other party:

- Smith & Wesson, model SD9VE Pistol, 9mm semi-automatic (SIN: HEB2348)
- Smith & Wesson, model M&P 380 Shield EZ, .380 caliber pistol (S/N: RDX0014)
- 98 Rounds Federal Ammunition, 9mm
- 8 Rounds Other Ammunition, .380 caliber

3. The United States shall have full and legal title to the forfeited property and may dispose of it in accordance with law.

4. The United States has identified the true owner of the following property and has confirmed that the owner is not prohibited from possessing firearms. Therefore, the following firearms shall be returned to Stephen Kercheval:

- Smith & Wesson, model SD9VE Pistol, 9mm semi-automatic (SIN: HEB2348)

- Smith & Wesson, model M&P 380 Shield EZ, .380 caliber pistol (S/N: RDX0014).

DATED this 13th day of May, 2024.

Susan P. Watters
SUSAN P. WATTERS
UNITED STATES DISTRICT JUDGE